IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 8783 of 2001

Between:

S.Vidyaranya, E.22441, S/o S.Vidyasagar, aged 59 years, Chief Inspector (Retired)
R/o Hyderabad.

..... PETITIONER

AND

1. APSRTC. Rep.,by its Vice Chairman and Managing Director, Musheerabad, Hyderabad.
2. The Depot Manager, APSRTC, Uppal Depot, Ranga Reddy District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declare the action of the respondent in not paying the balance of gratuity amount of Rs.24,865/- and also not paying the terminal benefits of encashment leave is illegal, arbitrary and contrary to the rules and further direct the respondents to pay the balance gratuity amount of Rs.24,865/- and also terminal benefits of encashment leave.

Counsel for the Petitioner: MR.P.RAGHAVENDRA REDDY

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court made the following :

ORDER:

This writ petition is filed, seeking to declare the action of the respondents in not paying the balance of gratuity amount of Rs.24,865/- and also not paying the terminal benefits of encashment leave is illegal and arbitrary.

The brief facts that are necessary for disposal of this writ petition may be stated as follows:

The petitioner has worked in the respondent Corporation as Chief Inspector and retired from service on attaining the age of superannuation on 30.04.2000. The grievance of the petitioner is that after his retirement, the respondent authorities have not paid the gratuity and leave encashment amounts, due to be paid to him.

It is not in dispute that during the pendency of this writ petition, the gratuity amount has been paid to the petitioner. The only dispute is with regard to payment of amount due to be paid to the petitioner towards encashment of leave of 240 days. Whether the petitioner is entitled for encashment of leave for 240 days or not is required to be decided in accordance with law. Therefore, the respondents shall take appropriate decision and pass necessary orders in releasing the encashment of leave for 240 days if the petitioner is otherwise eligible, within a period of four weeks from the date of receipt of a copy of this order.

Writ petition is disposed of. No order as to costs.

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K.C.BHANU, J

Date: 13.07.2005

MRKR

To

1. Vice Chairman and Managing Director, APSRTC. Musheerabad, Hyderabad.

2. The Depot Manager, APSRTC, Uppal Depot, Ranga Reddy District.

3. Two C.D.copies.